

ORDINANCE NO. 96-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 95-16 WHICH APPOINTED BOARD OF COMMISSIONERS OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY; PROVIDING FOR AMENDMENTS TO MEMBERSHIP; PROVIDING FOR APPOINTMENT OF ALTERNATES; PROVIDING REMOVAL OF COMMISSIONERS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR EFFECTIVE DATE; FULL FORCE AND EFFECT.

WHEREAS, the Board of County Commissioners of Palm Beach County adopted Ordinance 95-16 appointing the Board of Commissioners of the Enterprise Zone Development Agency (EZDA) pursuant to Florida Statutes Chapter 290; and

WHEREAS, the Board of Commissioners of the EZDA must have a quorum present in order to conduct business, and;

WHEREAS, the Board of Commissioners has been unable to conduct business due to lack of a quorum, and;

WHEREAS, in order to better conduct business and operate in a more efficient manner, the following amendments to Ordinance 95-16 are necessary.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

Section 1. Section 3.02 is hereby amended as follows:

The COUNTY ~~must~~ shall appoint at least one representative and one alternate from each of the following: the local chamber of commerce; local financial or insurance entities; the businesses operating within the nominated area; the residents residing within the nominating area; nonprofit community-based organizations operating within the nominated area; the local private industry council; the local code enforcement agency; and the local law enforcement agency. The terms of office of the commissioners shall be for four (4) years, except that, in making the initial appointments, the COUNTY shall appoint two (2) members for term of

three (3) years, two (2) members for terms of two (2) years, and one (1) member for one (1) year; the remaining initial members shall serve for terms of four (4) years, each alternate shall serve the same term as the representative. A vacancy occurring during a term shall be filled for the unexpired term. The importance of minority representation on the agency shall be considered in making appointments so that the agency generally reflects the gender and ethnic composition of the community as a whole. The appointments shall be as follows:

Category	Individual	Year Term	Nominating Entity
<u>Representation</u>	<u>Nominated</u>	<u>Begins</u> <u>7/1/95</u>	
Business Dev. Board	Kelly Smallridge	4	EZ Steering Committee (PBC)
Private Industry Council	Laura Fincannon Ken Montgomery	4	Private Industry Council (PBC)
Local Business Owner/Resident	Yvonne Peterman	1	Northwood/Pleasant City Redev. Agency Advisory Board (WPB)
Local Business Owner/Resident	Vincent Lupo	3	Northwood Business Dev. Corp (WPB)
Local Financial Institution	Darlene D. Russell	3	Northwest Community Dev. Corp (WPB)
Resident	Michael R. Odum	4	Pleasant City Redev. Corp (WPB)
Local Law Enforcement	Michael Gilles Lt. Keith Childers	2	Riveria Beach Comm. Redev. Agency
Local Business Owner	Tom Truluck Chip Kay	4	Riviera Beach Comm. Redev. Agency
Local Code Enforcement	Walter B. Freeman Don Hendrickson	2	Riviera Beach Comm. Redev. Agency
Local Chamber	Zenora Kerr-Ward	4	Suncoast Chambers
Local Non-Profit Exec. Dir.	Tony McCray, Chair	4	Glades Community Dev. Corp. (BG)
At-Large Member	Gene Simmons David Woods	4	City Commission of Belle Glade
Local Government Official	Lester Baird	4	City Commission of South Bay

Notwithstanding the above initial appointments, any vacancy, alternate, or new appointments may be filed by the Board of County Commissioners through its regular appointment process.

Section 2. Section 3.03 is hereby amended as follows:

A commissioner shall receive no compensation for his or her services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her duties, subject to prior approval by the Board of County Commissioners. Each commissioner shall hold office until a successor has been appointed and qualified. A certificate of the appointment or reappointment of any commissioner or alternate shall be filed with the clerk of the county ~~or municipality~~, and the certificate is conclusive evidence of the due and proper appointment of the commissioner.

1 Section 3. Section 3.05 is hereby amended as follows:

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3 The County may remove a commissioner for inefficiency, neglect
4 or duty, or misconduct in office only after a hearing and only if
5 the commissioner has been given a copy of the charges at least ten
6 (10) days prior to the hearing and has had an opportunity to be
7 heard in person or by counsel. For purposes of this ordinance,
8 lack of attendance shall be conclusive evidence of neglect of duty.
9 Lack of attendance is defined as failure to attend three (3)
10 consecutive meetings or failure to attend more than one-half of the
11 meetings scheduled during a calendar year. Excused absences shall
12 not constitute lack of attendance. Excused absences shall be
13 entered into the minutes at the next regularly scheduled meeting of
14 the board of commission. A commissioner who is given written
15 notice of neglect of duty as defined above, may waive in writing,
16 the requirement for a hearing in which case, the commissioner shall
17 be removed and a new appointment shall be made by the BCC.
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20 Section 4. REPEAL OF LAWS IN CONFLICT

21 All local laws and ordinances in conflict with any provisions
22 of this Ordinance are hereby repealed to the extent of such
23 conflict.

24 Section 5. SEVERABILITY

25 If any section, paragraph, sentence, clause, phrase, or word
26 of this Ordinance is for any reason held by the Court to be
27 unconstitutional, inoperative, or void, such holding shall not
28 affect the remainder of this Ordinance.

29 Section 6. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

30 The provisions of this Ordinance shall become and be made a
31 part of the Code of Laws and Ordinances of Palm Beach County,
32 Florida. The sections of this Ordinance may be renumbered or
33 relettered to accomplish such, and the word "ordinance" may be
34 changed to "section", "article", or other appropriate word.

35 SECTION 7. EFFECTIVE DATE:

36 The provisions of this Ordinance shall become effective upon
37 filing with the Department of State.

38 SECTION 8. FULL FORCE AND EFFECT

39 All other terms and provisions of the Ordinance shall remain
40 in full force and effect.
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1 APPROVED and ADOPTED by the Board of County Commissioners of
2 Palm Beach County, Florida, on this the 19th day of
3 March, 1996.

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5 ATTEST:

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

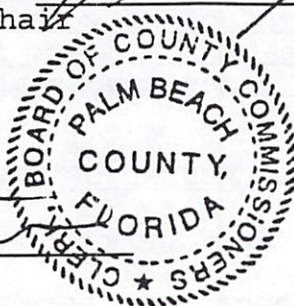
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7
8 DOROTHY H. WILKEN

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10 By: April C. Smith
11 Deputy Clerk

BY: [Signature]
12 Vice-Chair

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15 APPROVED AS TO FORM AND
16 LEGAL SUFFICIENCY

17
18 By: [Signature]
19 County Attorney



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22 EFFECTIVE DATE: Filed with the Department of State on the 26th
23 day of March, 1996, at — .m.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on April 4, 1996
DATED at West Palm Beach, FL on 3-19-96
DOROTHY H. WILKEN, Clerk
By: Gloria Madison D.C.